

**COURTESY
COPY**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

DENNIS BUBLITZ, JOSEPH)	
GALLAGHER, and SHAWN PARR,)	
individually and on behalf of all others)	
similarly situated,)	
)	Civil Action No. 09-cv-7749 (RWS)
Plaintiffs,)	
vs.)	Hon. Robert W. Sweet
)	
FAYLOW CORP., CRISPO, FRANCIS J.)	ECF Case
CRISPO and EUGENE CRISPO,)	
)	
Defendants.)	

S

**[PROPOSED] ORDER FOR CONDITIONAL CERTIFICATION OF FAIR
LABOR STANDARDS ACT CLAIMS AS A REPRESENTATIVE ACTION
PURSUANT TO 29 U.S.C. 216(b) AND TO ISSUE NOTICE**

Having considered the motion of Dennis Bublitz, Joseph Gallagher, and Shawn Parr ("Plaintiffs") for Conditional Certification of Fair Labor Standards Act ("FLSA") Claims as a Representative Action Pursuant to 20 U.S.C. 216(b) and to Issue Notice, the Memorandum of Law in support thereof, the Declaration of Alyson C. Bruns in support of the motion, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

1. The FLSA claims are conditionally certified as a representative opt-in action, pursuant to 29 U.S.C. 216(b), on behalf of all individuals presently or formerly employed at Crispo restaurant as servers, bartenders, and bussers from three years from the date of notice to the present (the "FLSA Collective").
2. Defendants will produce to Plaintiffs the identity of FLSA Collective members, including names, last known addresses and telephone numbers, Social Security numbers and dates of employment is compelled.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>10/5/10</u>

3. The proposed form of Notice of the FLSA Collective Action ("Notice") and the Consent Form are approved.

4. Plaintiffs' Counsel are directed to mail the Notice and the Consent Form to putative FLSA Collective members.

5. Defendants are directed to post of the Notice and Consent Form in a conspicuous location in Crispo restaurant.

DATED: 10-4-10



Hon. Robert W. Sweet
U.S. District Judge